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*Attorneys for Plaintiffs R & W Excavating, Inc., Boulder Mountain Group, LLC,  
and Willie Jessop*

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**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH, CENTRAL DIVISION**

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R & W EXCAVATING, INC., a Utah  
corporation; BOULDER MOUNTAIN  
GROUP, LLC, a Nevada limited liability  
company; and WILLIE JESSOP, individually  
and on behalf of his minor children,  
Plaintiffs,

vs.

WARREN JEFFS; LYLE JEFFS; JOHN  
WAYMAN; NEWERA MANUFACTURING,  
INC., a Nevada Corporation; and DOES 1  
through 25.  
Defendants.

UNITED STATES ATTORNEY'S OFFICE,  
Garnishee.

**NOTICE OF VOLUNTARY  
WITHDRAWAL OF WRIT OF  
GARNISHMENTS; RULE 41(A)(1)  
VOLUNTARY DISMISSAL; CONSENT  
OF UNITED STATES ATTORNEY'S  
OFFICE FOR THE DISTRICT OF UTAH**

Civil No. 2:13CV210 RJS

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PLEASE TAKE NOTICE that Plaintiffs in the above-captioned action through their  
attorneys of record Hatch, James & Dodge, P.C., hereby (i) voluntarily withdraw the three writs

of garnishment (the “Garnishments”) served in connection with the above-captioned proceedings on the United States Attorneys’ Office for the District of Utah; and (ii) dismiss this garnishment action pursuant to Federal Rule of Civil Procedure 41(a)(1).

The United States Attorney’s Office for the District of Utah hereby acknowledges and consents to the withdrawal of the Garnishments and dismissal of this garnishment action and hereby withdraws its Motion to Quash Writs of Garnishment.

Plaintiffs and the United States Attorney’s Office for the District of Utah acknowledge and agree that the Notice of Removal that the United States Attorney’s Office for the District of Utah previously filed with this Court and provided notice of to the Fifth Judicial District Court for Washington County, State of Utah, resulted only in the removal of the garnishment proceedings relating to the United States Attorney’s Office for the District of Utah and did not remove or otherwise affect the underlying lawsuit, Civil No. 120500103, pending in the Fifth Judicial District Court of Washington County, State of Utah.

Dated this 2<sup>nd</sup> day of April, 2013

DAVID B. BARLOW  
United States Attorney

HATCH, JAMES & DODGE P.C.

By: /s/ Jared C. Bennett  
JARED C. BENNETT  
Assistant United States Attorney

By: /s/ Mark F. James  
Mark F. James  
Mitchell A. Stephens

*Attorneys for Plaintiffs*